

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, }
Plaintiff, }
vs. }
2003 TOYOTA AVALON XL, }
WASHINGTON LICENSE PLATE }
AAZ9087, VIN: }
4T1BF28B33U336212, }
Defendant. }

CV-13-067-LRS

Final Order of Forfeiture

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant vehicle is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The defendant property being forfeited is described as follows:

2003 Toyota Avalon XL, Washington License Plate AAZ9087, VIN: 4T1BF28B33U336212, seized on or about July 21, 2011, in Spokane, Washington, by the Drug Enforcement Administration.

On March 1, 2013, the Clerk's office issued the Warrant of Arrest In Rem, pursuant to the Court's order of the same date. ECF No. 4.

On March 12, 2013, the Warrant of Arrest In Rem was returned executed, and was filed herein on March 27, 2013. ECF No. 5.

Notice of Civil Forfeiture Action was posted on the official government website beginning February 15, 2013, through March 16, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as evidenced by the Notice of Publication filed

1 herein on June 11, 2013. ECF Nos. 8, 8-1 and 8-2. At the latest, the claim period
2 expired on April 16, 2013.

3 On or about May 13, 2013, Nelson Perez was served, directly and in care of
4 Attorney Frank Cikutovich, via certified mail, return receipt requested, with a
5 copy of the Verified Complaint for Forfeiture In Rem, Warrant of Arrest In Rem,
6 and Notice of Complaint for Forfeiture. ECF No. 6 and 6-1. Based upon the
7 direct notice's service date the last date to file a timely claim was June 17, 2013.
8 To date, no claim of interest has been received or filed with the Court from Nelson
9 Perez. On June 25, 2013, the United States served and filed its Notice of Motion
10 for Default. ECF No. 9. On July 10, 2013, the United States filed a Motion for
11 Default. ECF No. 12. On July 10, 2013, the Clerk entered a default order as to
12 Nelson Perez. ECF No. 14.

13 On or about May 13, 2013, Ricci Kooyman was served, via certified mail,
14 return receipt requested, with a copy of the Verified Complaint for Forfeiture In
15 Rem, Warrant of Arrest In Rem, and Notice of Complaint for Forfeiture. ECF No.
16 7 and 7-1. Based upon the direct notice's service date the last date to file a timely
17 claim was June 17, 2013. To date, no claim of interest has been received or filed
18 with the Court from Ricci Kooyman. On June 25, 2013, the United States served
19 and filed its Notice of Motion for Default. ECF No. 10. On July 10, 2013, the
20 United States filed a Motion for Default. ECF No. 11. On July 10, 2013, the
21 Clerk entered a default order as to Ricci Kooyman. ECF No. 13.

22 It appearing to the Court that any and all potential claimant's interest in the
23 defendant property has been resolved through the entry of the Clerk's Orders of
24 Default as to Nelson Perez and Ricci Kooyman;

25 It also appearing to the Court that no other timely claims have been made to
26 the defendant property;

1 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the
2 defendant property is hereby forfeited to the United States of America, and no
3 right, title, or interest shall exist in any other person.

4 IT IS FURTHER ORDERED that the United States shall dispose of the
5 forfeited defendant property in accordance with law.

6 DATED this 6th day of September, 2013.

7 *s/Lonny R. Suko*
8

9 Lonny R. Suko
United States District Judge

10
11 Presented by:
12

13 Michael C. Ormsby
14 United States Attorney

15 s/James A. Goeke

16 James A. Goeke
17 Assistant United States Attorney